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PUBLIC SERVIC

February 18, 2022

## **VIA HAND DELIVERY**

The Honorable Jocelyn G. Boyd
Chief Clerk/Executive Director
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

RE: Dominion Energy South Carolina, Inc.

Request for Approval of a First Amendment to Contract for Electric Service with

Husqvarna Construction Products North America, Inc.

Docket No. 2022- -E

Dear Ms. Boyd:

Pursuant to S.C. Code Ann. Regs. 103-303 (2012), Dominion Energy South Carolina, Inc. ("DESC" or "Company") hereby files and seeks approval a First Amendment to Contract for Electric Service between DESC and Husqvarna Construction Products North America, Inc. ("Husqvarna") for provisions of electric service to a plant located on Two Notch Road in Columbia, South Carolina ("First Amendment"), with approval of the amendment to be made effective as of January 1, 2022, the effective date of First Amendment.

## First Amendment

The First Amendment is effective January 1, 2022, and amends the Contract for Electric Service between DESC and Husqvarna for the provision of electric service a plant located on Two Notch Road in Ladson, South Carolina, effective July 31, 2009. Commission approval of the original contact was not required because Husqvarna was taking service under a Commission-approved rate. Under the First Amendment, DESC agrees to provide green power for 100% of Husqvarna's energy consumption pursuant to a rider namely, "Green Power Rider To Applicable Retail Electric Rate Serving Husqvarna Construction Products North America, Inc. – Green Power." Under the rider, Husqvarna will pay DESC for "green power" that DESC supplies to the plant for the initial term beginning January 1, 2022. At the conclusion of the initial term of the rider, the rider will be automatically extended on a year-to-year basis until terminated by either party. For purposes of this amendment, "green power" refers to electricity sold by the Company for consumption at the plant coupled with green attributes (i.e., renewable energy certificates, green tags, or any other environmental attributes) from DESC-owned renewable generation resources, third-party owned renewable generation resources interconnected to the DESC system and for which the Company owns the rights to the green attributes, or the open market.

For avoidance of doubt, the term of the original contract will extend automatically to run concurrently with the rider.

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## **Request for Confidential Treatment**

Due to the commercial sensitivity and proprietary nature of certain provisions of the First Amendment as well as the highly competitive nature of the industry in which Husqvarna operates, the Company and Husqvarna respectfully request that the Commission find that the First Amendment contains protected information and issue a protective order barring the disclosure of the agreement under the Freedom of Information Act, S.C. Code Ann. §§ 30-4-10 et seq., S.C. Code Ann. Regs. 103-804(S)(1), or any other provision of law. Pursuant to S.C. Code Ann. Regs. 103-804(S)(2), the determination of whether a document may be exempt from disclosure is within the Commission's discretion.

To this end, and in accordance with Commission Order No. 2005-226, dated May 6, 2005, in Docket No. 2005-83-A, we enclose with this letter redacted versions of the First Amendment, that protects from disclosure the sensitive, proprietary and commercially valuable information, while making available for public viewing non-protected information. We also enclose a copy of the unredacted version of the First Amendment in a separate, sealed envelope and respectfully request that, in the event that anyone should seek disclosure of the unredacted First Amendment, the Commission notify DESC of such request and provide it with an opportunity to obtain an order from this Commission or a court of competent jurisdiction protecting the First Amendment from disclosure.

Enclosed are the following:

- (1) A true and correct copy of the original First Amendment in a sealed envelope marked "CONFIDENTIAL." Each page of First Amendment is also marked "CONFIDENTIAL."
- (2) Ten copies of a redacted copy of the First Amendment for filing and public disclosure.

By copy of this letter, we are providing the South Carolina Office of Regulatory Staff ("ORS") with a redacted copy of the First Amendment for its records. Additionally, DESC will make the original, unredacted copy of the First Amendment available to ORS for its review.

Thank you for your assistance and consideration of this matter. If you have any questions, please do not hesitate to contact us at your convenience.

Very truly yours,

Matthew W. Gissendanner

MWG/kms Enclosure

cc: Dawn Hipp

Andrew M. Bateman, Esquire

(via electronic mail and U.S. First Class Mail w/ enclosure)